



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
ALEXY ROSARIO,

Petitioner,

-against-

JOHN BURGE, Superintendent,
Elmira Correctional Facility,

Respondent.
-----X

07 CIVIL 5907 (VM)
JUDGMENT

SCANNED

A petition for habeas corpus pursuant to 28 U.S.C. § 2254 having been submitted to the Honorable Victor Marrero, United States District Judge, and the Court, on March 27, 2008, having rendered its Decision and Order denying the petition for a writ of habeas corpus, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Decision and Order dated March 27, 2008, the petition for a writ of habeas corpus is denied; accordingly, the case closed; the Court finds that because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue.

DATED: New York, New York
March 28, 2008

J. MICHAEL McMAHON

Clerk of Court

BY:



Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**